

Remarks

This Amendment is being filed in response to the final Office Action mailed on July 25, 2006, in which claims 4-16, 21-24, 29 and 30 were rejected. This Amendment is also being filed after receipt of the Examiner's Answer mailed on June 22, 2007 in which claims 21-24 were allowed, and claims 9, 10, 29 and 30 were indicated as being allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. With this Amendment, claims 6-7 and 10-12 have been cancelled and claims 4-5, 8-9, 13-16, 21, 23-24 and 29 have been amended. Claims 21 and 23-24 of allowed claims 21-24 have been amended for editorial purposes only, and are therefore still believed to be in condition for allowance. No new matter is added as a result of this amendment.

With this Amendment, Applicant has amended claim 4 to include the features recited in previously presented claim 10. Applicant has also amended claim 9 to include all of the features recited in previously presented claims 4, 5, 8 and 9. Similarly, Applicant has amended claim 29 to include all of the features recited in previously presented claims 4, 5, 8 and 29. Applicant has also amended the preamble of independent claims 4, 9, 21 and 29 to recite "A pyrotechnic device for simulating explosions, weapons firing and/or hit indications." Support for this amendment is found throughout Applicant's as-filed specification, specifically at page 17, lines 19-24 and page 18, lines 10-22. Therefore, it is respectfully submitted that amended independent claims 4, 9 and 29 are believed to be in condition for allowance. Since claims 5, 8-9, 13-16 and 30 depend from amended independent claims 4 and 29, respectively, these dependent claims are also believed to be in condition for allowance.

As a result of the foregoing amendments, Applicant respectfully submits that the aforementioned prior art rejections contained in the final Office Action have been obviated. In such circumstances, the prior art rejections are not further discussed herein.

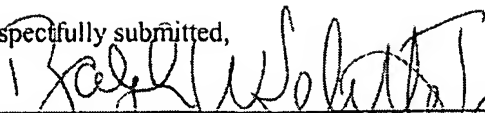
In the view of the foregoing amendments and the accompanying remarks, Applicant respectfully requests reconsideration and allowance of pending claims 4-5, 8-9, 13-16, 21-24, and 29-30. If such action cannot be taken, or if the Examiner believes that a telephone conversation would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned.

Applicant is also submitting herewith a copy of a Withdrawal of Appeal letter that has been addressed to the Chief Clerk of the Board and filed with the USPTO today.

No fees are believed to be due as a result of this Amendment. If there are any fees due as a result of this Amendment, including extension and petition fees, the Examiner is hereby authorized to charge them to Deposit Account No. 501561.

Date: January 23, 2008

Respectfully submitted,



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